



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,525	08/22/2003	Luca Massasso	08020.0002	8119
22852	7590	01/25/2008		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER LEE, JINHEE J	
			ART UNIT 2174	PAPER NUMBER
			MAIL DATE 01/25/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/645,525

Applicant(s)

MASSASSO ET AL.

Examiner

Jinhee J. Lee

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 10-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 8 and 10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. "Storage repository" of claim is not disclosed in the original specification.

The applicant is required to cancel the new matter.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-8, 10 and 18-23 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The basic of this rejection is set forth in a two-prong test of:

- (1) whether the invention is within the technology arts; and
- (2) whether the invention produces a useful, concrete, and tangible result.

Re claims 1-8, 10, 18-23, claims 1-8, 10, 18-23 fails to fall within a statutory category of invention. They are directed to a program itself, not a process occurring as a result of executing the program, a machine programmed to operate in accordance with the program nor a manufacture structurally and functionally interconnected with the program in a manner which enables the program to act as a computer component and realize its functionality. They are also clearly not directed to a composition of matter. Therefore, they are non-statutory under 32 USC 101.

Claims 1-7, 18-23 are also rejected under 101 because, the examiner has found in the applicant's specification where "storage" is not necessarily a tangible device as expected in meaning when referring to "storage" but paragraph 0057 states as follows "although aspects of the present invention are described for being stored in memory, one skilled in the art will appreciate that these aspects can also be stored on other types of computer-readable media, such as secondary storage devices, the Internet or other propagation medium; and/or other forms of RAM or ROM." This statement in the applicant's specification is broadening the word "storage" as not just a storage device, but a non-tangible memory, or even a propagation medium.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 2174

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-8, 10-23 are rejected under 35 U.S.C. 102(e) as being anticipated by DiStefano, III (6771291).

Re claim 1, DiStefano, III discloses a system for generating a user interface for a web application program, the system comprising:

a repository (in 190 or 170 for example) of reusable screen components including graphical user interface (GUI) components (figure 2 shows GUI components used for example);

means for enabling a user to create a web page layout by (method of designing, see abstract for example):

selecting GUI components from the repository (see column 5 lines 12-14, lines 37-38 for example),

arranging the selected GUI components within the web page (see column 6 lines 3-7, lines 26-27 for example),

defining interaction between at least two of the selected GUI components, the interaction including causing a first GUI component to perform an action in response to an event generated by a second GUI component (selecting a web assets color and sound, see column 7 lines 25-34 for example), and

defining interaction between one or more of the selected GUI components and the web application program, the interaction involving business data and one or more backend systems (see column 11 lines 40-43, column 12 lines 35-38 for example); and means for storing rendering information of the web page layout to enable a web server to render the web page ("GUI is stored", see column 5 line 2 for example).

Re claim 2, DiStefano, III discloses a system, wherein the repository of reusable screen components includes at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (color palette 640 for example).

Re claim 3, DiStefano, III discloses a system, wherein the means for storing rendering information include means for storing at least one of layout settings of the selected components, properties of the selected components, and the handling of data represented by the selected components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2 for example).

Re claim 4, DiStefano, III discloses a system, wherein the means for storing rendering information includes data storage means for storing variables defining the web page layout (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2 for example).

Re claim 5, DiStefano, III discloses a system, further comprising means for retrieving the stored rendering information and generating hypertext mark-up language (HTML) code using the rendering information (see column 5 lines 50-55 for example).

Re claim 6, DiStefano, III discloses a system, wherein the means for storing rendering information includes data storage means for storing variables describing event handlers assigned to the reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 50-63 for example).

Re claim 7, DiStefano, III discloses a system, wherein the means for storing rendering information includes data storage means for storing variables describing an application model assignment of the data presented by the reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 60-66 for example).

Re claim 8 (as best understood), DiStefano, III discloses a system for generating a user interface for a web application program, the system comprising:

- a first set of database tables (190, see column 5 lines 12-14) to define screens, the first set of database tables being stored in a storage repository and including one or more tables that describe graphical user interface (GUI) screen components, screen layout, component configuration, application model assignment, and event handling;

- a first set of transactions for administrating the first set of database tables, the first set of transactions being stored in a storage repository; and

- means for generating web pages by accessing the first set of database tables using the first set of transactions, wherein accessing the first set of database tables includes accessing information relating to at least one of the GUI screen components and event handling; and

a second set of database tables (170 for example) based upon the first set of stored database tables, the second set of stored database tables being stored on a storage repository and configured for customization and personalization of the user interface (see items 170 or 190, figure 2, and abstract, column 6 lines 3-7, lines 26-27, column 5 lines 12-14, line 37-38, column 7 lines 25-34 for example) (storage, see column 2 lines 35-40, column 4 lines 42-44, column 5 line 2 and column 18 lines 60-63 for example).

Re claim 10, DiStefano, III discloses a system, wherein the first set of database tables that describe GUI screen components include at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (640 for example).

Re claim 11, DiStefano, III discloses a method for generating a user interface for a web application program, the method comprising:

selecting graphical user interface (GUI) components from a repository of reusable screen components (images 121 and story files 123 for example) (retrieves story information from database, see paragraph 0051 for example);

arranging the selected GUI components to create a web page layout (produces a set of published news Web pages see paragraph 0051 for example);

defining interaction between at least two of the selected GUI components, the interaction including causing a first GUI component to perform an action in response to an event generated by a second GUI component (see paragraph 0083 for example);

defining interaction between one or more of the selected GUI components and the web application program, the interaction involving business data and one or more backend systems(see paragraph 0081, 0083 and 0089 for example); and

storing (database 400 for example) rendering information of the web page layout to enable rendering of the web page by a web server (see items 170,190, figure 2, abstract, and column 7 lines 25-34 for example).

Re claim 12, DiStefano, III discloses a method, wherein the repository of reusable screen components includes at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (640 for example).

Re claim 13, DiStefano, III discloses a method, wherein storing the rendering information comprises at least one of storing layout settings of the selected GUI components, storing properties of the selected GUI components, and storing information about the handling of data represented by the selected GUI components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line2 for example).

Re claim 14, DiStefano, III discloses a method, wherein storing rendering information comprises storing variables defining the web page layout (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2 for example).

Re claim 15, DiStefano, III discloses a method, further comprising retrieving the stored rendering information and generating hypertext mark-up language (HTML) code using the rendering information (see column 5 lines 50-55 for example).

Re claim 16, DiStefano, III discloses a method, wherein storing rendering information comprises storing variables defining event handlers assigned to the reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 60-63 for example).

Re claim 17, DiStefano, III discloses a method wherein storing rendering information comprises storing variables defining an application model assignment of the data presented by the reusable components (see column 2 lines 35-40, column 4 lines 42-44 and column 5 line 2, column 18 lines 60-66 for example).

Re claim 18, DiStefano, III discloses a computer program product comprising program code means stored on a computer readable medium for performing a method according to any one of the claims 11 to 17 when the program is run on a computer (see abstract for example).

Re claim 19, DiStefano, III discloses a computer readable medium that stores executable instructions causing a computer system to provide:

a repository of reusable screen components including graphical user interface (GUI) components;

means for enabling a user to create a web page layout by:

selecting GUI components from the repository,

arranging the selected GUI components within the web page,

defining interaction between at least two of the selected GUI components, the interaction including causing a first GUI component to perform an action in response to an event generated by a second GUI component, and

defining interaction between one or more of the selected GUI components and the web application program, the interaction involving business data and one or more backend systems; and

means for storing rendering information of the web page layout to enable a web server to render the web page (see items 170 or 190, figure 2, abstract, column 5 lines 2 and lines 12-14, lines 37-38, column 6 lines 3-7, lines 26-27, column 7 lines 25-34, column 11 lines 40-43, column 12 lines 35-38 for example).

Re claim 20, DiStefano, III discloses a computer readable medium, further comprising instructions operable to cause the computer system to have the repository of reusable screen components include at least one of a tray component, a tab-strip component, a tool-bar component, a text area component, a form-box component, a selection-box component, a table-view component, a table-view-for-time-series component, and a chart component (640 for example).

Re claim 21, DiStefano, III discloses a computer readable medium, further comprising instructions operable to cause the computer system to provide means for storing the rendering information, including means for storing at least one of layout settings of the selected GUI components, properties of the selected GUI components, and the handling of data represented by the selected GUI components ("GUI is stored" column 5 line 2 and abstract for example).

Re claim 22, DiStefano, III discloses a computer readable medium, further comprising instructions operable to cause the computer system to provide data storage

means for storing variables defining the web page layout ("GUI is stored" column 5 line 2 and abstract for example).

Re claim 23, DiStefano, III discloses a computer readable medium, further comprising instructions operable to cause the computer system to provide means for retrieving the stored rendering information and generating hypertext mark-up language (HTML) code using the rendering information ("GUI is stored" column 5 line 2 and abstract, and column 5 lines 50-55 for example)).

Response to Arguments

7. Applicant's arguments filed 12/7/07 have been fully considered but they are not persuasive.

In response to applicant's arguments regarding the 101 rejection, as previously stated, the original specification does not disclose "storage repository." Further, applicant's specification also states that the terminology "storage" does not just refer to a storage device that is tangible, but in this application refers to memory, which is not tangible (propagation medium, RAM, ROM). In light of the broad definition of "storage" used by the applicant, claims 1-8, 10, 18-23 were all rejected for not meeting 101 requirements of tangible device.

In response to applicant's arguments that DiStefano does not disclose or suggest defining interaction between the selected web components, examiner disagrees. Column 7 lines 25-35 of DiStefano clearly discloses "cause the selected element to appear....apply selected web assets, sound elements or color elements to existing web assets or other elements". This clearly teaches of interaction between selected web

components (column 7 goes on to give the same example as selecting chick icon and modifying the chick to make a peep noise for example).

In response to the applicant's arguments that DiStefano does not disclose "defining interaction between one or more of the GUI components and the web application program, the interaction involving business data and one or more backend systems" and "DiStefano merely describes fields that can be filled in by a user logging in to a website design program", examiner disagrees. DiStefano in column 11 teaches of "adding tables and cells to the website also specify the locations of the tables/cells....by selecting a locations button" and column 12 discloses log in menu. Both during adding of tables and in the log in menu, DiStefano clearly discloses "defining interaction between one or more of the GUI components and the web application program" (adding tables and logging in for example). In column 12 (log in menu) also discloses "the interaction involving business data" (such as name, address, e-mail address, etc) and "one or more backend systems" (further provided into an identification field and a desired password is providedwhere the information is processed and then provided for storage on third party user database for example) (see column 12 lines 36-45 for example). The process of logging in and the creation of log in menu both are involved in the "means for enabling a user to create a web page layout".

In response to applicant's arguments that DiStefano does not teach a first set of databases tables and a second set of database tables, examiner disagrees. Column 5 lines 12-14 clearly describes database tables to define screens including tables that describe graphical user interface screen components, screen layout, component

configuration, application model assignment, and event handling, i.e. item 190 for example) Further, figure 1 also clearly shows items 170 and 190, which show web assets database (second set of database for example) and programming data base (first set of database for example).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinhee J. Lee whose telephone number is 571-272-1977. The examiner can normally be reached on M-F at 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-2100 ext. 74. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jinhee J Lee/

Art Unit: 2174

Primary Examiner, Art Unit 2174

jjl